

P24072.A02



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Shigenobu SATO et al.

Group Art Unit: 3738

Appln. No : 10/642,756

Examiner: Unknown

Filed : August 19, 2003

For : INTERVERTEBRAL SPACER

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir :

In accordance with the duty of disclosure under 37 C.F.R. §1.56, §1.97-1.98, and supplemental to the Information Disclosure Statement filed on November 19, 2003, Applicants submit herewith a copy of a communication from the European Patent Office dated December 5, 2003 with respect to counterpart application No. EP 03 01 8956, which includes a European Search Report and Annex thereto, in which the European Examiner cited the following documents.

U.S. Patent No. 6,325,827 to LIN, which issued on December 4, 2001;

WIPO PCT Patent Publication No. WO 02/03895, which published on January 17, 2002, and which has an english language abstract thereof;

U.S. Patent No. 6,241,771 to GRESSER et al., which issued on June 5, 2001;

U.S. Patent Application Publication No. 2002/0058950 to WINTERBOTTOM et al., which published on May 16, 2002; and

U.S. Patent No. 6,500,206 to BRYAN, which issued on December 31, 2002.

P24072.A02

The category of relevance, pertinent portions, and claims to which each document is relevant, as ascertained by the European Examiner applying European rules to the European claims are set forth in the European Search Report.

Applicants respectfully request that the Examiner consider and cite the patent documents. Copies of the above-noted documents are attached and have been listed on a PTO-1449 Form which is also attached hereto. Accordingly, the Examiner is requested to initial the appropriate spaces on the attached PTO-1449 Form and to return a copy of the Form to the Applicants with the next official communication in the present application to confirm consideration of these documents.

Applicants note that an Office Action on the merits has not yet issued in the instant application, and thus, no fee is necessary to ensure consideration of this statement. However, if an Office Action has issued and is crossing in the mail with this statement, the Commissioner is hereby authorized to charge Deposit Account No. 19-0089 any fee necessary to ensure consideration of the submitted materials.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

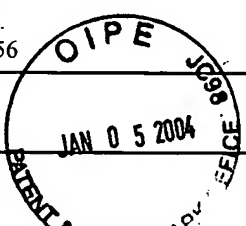
Respectfully submitted,  
Shigeenobu SATO et al.

 Reg. No.

Bruce H. Bernstein  
Reg. No. 29,027

41,568

January 2, 2004  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

Form PTO-1449  U.S. Department of Commerce Patent and Trademark Office  <b>INFORMATION DISCLOSURE STATEMENT          BY APPLICANT</b> (Use several sheets if necessary)	Atty. Docket No. P24072	Serial No. 10/642,756
		
Applicant Shigenobu SATO et al.		Filing Date August 19, 2003
Group 3738		

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6 3 2 5 8 2 7	12/04/01	LIN			
	6 2 4 1 7 7 1	06/05/01	GRESSER et al.			
2002	/ 0 0 5 8 9 5 0	05/16/02	WINTERBOTTOM et al.			
	6 5 0 0 2 0 6	12/31/02	BRYAN			

**FOREIGN PATENT DOCUMENTS**

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
02 / 0 3 8 9 5	01/17/02	W.I.P.O.			

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**


EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.